

REMARKS

Regarding the recited density ranges, applicants have argued that their disclosure inherently teaches the units of g/cm^3 . The argument is that the units are inherently taught, not that the numerical values defining the end points of the range are inherent. There is no inconsistency. The teaching of units would be inherent regardless of whether the disclosed range was unique to the present invention or in accordance with the prior art teachings.

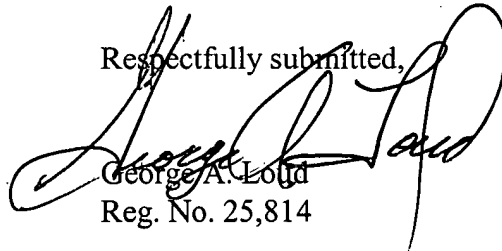
As the examiner has previously noted on this record, density of polyurethane foams have also been expressed in the art in terms of other units. However, the absolute values of the numbers of applicants' ranges teach those skilled in the art that the units are g/cm^3 . For example, U.S. 4,134,610, of record, discloses a polyurethane foam used in an automobile bumper "having a density within the range of from about 50 to about 150 g/dm^3 , preferably from about 70 to about 120 g/dm^3 ...", quoting from column 3, lines 22-24. Thus, while U.S. 4,134,610 expresses density of a polyurethane foam in different units (g/dm^3) it does so with absolute values many orders of magnitude higher than those recited by applicants' claims. Thus, the magnitude of the end points of applicants' ranges teaches those skilled in the art that applicants' density ranges are not expressed as g/dm^3 but, rather, as the more conventional g/cm^3 .

Claim 28 has been amended to obviate the rejection for indefiniteness as set forth at paragraph 4 of the office action.

The rejection of claims 14, 15 and 28 for obviousness over Yamagiwa in view of JP '390 and further in view of Kennedy, is respectfully traversed. As the examiner correctly notes, neither Yamagiwa nor JP '390 disclose the use of gum particles in a urethane foam. In this regard, the examiner relies upon the newly cited Kennedy patent. Kennedy teaches the production of polyurethane foams “by reacting the selected polysaccharide with a polyisocyanate in an aqueous medium...,” quoting from column 1, lines 62-64 of Kennedy. Presumably, Kennedy is of relevance here because of the disclosure that the polysaccharides described, i.e., the so-called “gel forming polysaccharides”, include guar gum. See column 1, lines 35-38. Indeed, the examiner may be correct that it would have been obvious to use a polysaccharide having the ability to form a gel, “as taught by Kennedy,” quoting from the top of page 4 of the office action. However, “use as taught by Kennedy” would not lead to the present invention. Kennedy never mixes a urethane raw material with gum-based particles and the result of what Kennedy teaches would not resemble “a urethane foam containing the gum-based particles” as recited by claim 28. On the contrary, Kennedy teaches use of the gel-forming polysaccharide as a reactant with a polyisocyanate to form a foam. In other words, in Kennedy, the polysaccharide is one of the urethane-forming reactants. The result would not be a polyurethane foam and gum particles (or anything else) dispersed therein and would not be anything resembling same.

In conclusion, it is respectfully requested that the examiner reconsider the rejections of record with a view toward allowance of the claims as amended.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "George A. Loud", is written over the typed name and registration number.

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